



Nottinghamshire County Council

Environment and Sustainability Committee

Date: Thursday, 31 May 2012
Time: 10:30
Venue: County Hall
Address: County Hall, West Bridgford, Nottingham NG2 7QP

AGENDA

- | | | |
|-----------|---|----------------|
| 1 | <u>Appointment of Chairman and Vice-Chairman</u> | 1-2 |
| | To note the appointment by the County Council of Councillor Richard Butler as Chairman of the Committee and Councillor John Hemsall as Vice-Chairman | |
| 2 | <u>To note the Membership of the Committee as follows:-</u> | 1-2 |
| | Councillors Richard Butler, Steve Carr, Barrie Cooper, Jim Creamer, Vincent Dobson, Kevin Greaves, John Hemsall, Bruce Laughton, Geoff Merry, Parry Tsimbirdis and Keith Walker | |
| | Ex-officio member (non-voting) - Councillor Mrs K Cutts | |
| 3 | <u>Apologies for Absence</u> | 1-2 |
| | Details | |
| 4 | <u>Declarations of Interest</u> | 1-2 |
| | (a) Personal | |
| | (b) Prejudicial | |
| 5 | <u>Terms of Reference</u> | 3 - 6 |
| | Details | |
| 6 | <u>Rushcliffe Development Framework Core Strategy Publication Version</u> | 7 - 22 |
| | Details | |
| 7 | <u>Strategic Planning Observations on a planning application for a foodstore at land North of Wilford L</u> | 23 - 52 |
| | Details | |
| 8 | <u>Strategic Planning Observations</u> | 53 - 58 |
| | Details | |
| 9 | <u>Dissolution of Newark and Sherwood Energy Agency</u> | 59 - 60 |
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| 10 | <u>Work Programme</u> | 61 - 68 |
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31 May 2012

Agenda Item: 5

REPORT OF CHIEF EXECUTIVE

TERMS OF REFERENCE

Purpose of the Report

1. To note the Committee's terms of reference.

Information and Advice

2. County Council on 29 March 2012 agreed the following terms of reference for the Environment and Sustainability Committee:-

3. ENVIRONMENT AND SUSTAINABILITY COMMITTEE – TERMS OF REFERENCE

- a. The exercise of the powers and functions set out below are delegated by the Full Council in relation to environment and sustainability:
 - i. All decisions within the control of the Council including but not limited to those listed in the Table below
 - ii. Policy development in relation to environment and sustainability, subject to approval by the Policy Committee or the Full Council
 - iii. Review of performance in relation to the services provided on at least a quarterly basis
 - iv. Review of day to day operational decisions taken by officers
 - v. Approval of consultation responses
 - vi. Approval of departmental staffing structures as required
- b. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.

- c. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to officers.
- d. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for all matters relating to minerals and waste planning not falling within the delegation of any other committee.
Responsibility for all matters relating to Council's role as Waste Disposal Authority.
Responsibility for the Local Improvement Scheme
Responsibility for making observations on planning matters on which the County Council is consulted, in accordance with the agreed protocol
Responsibility for all matters relating to environmental awareness and sustainability
Responsibility for any matter relating to the control of pollution or the management of air quality

Other Options Considered

- 4. None.

Reason/s for Recommendation/s

- 5. To inform the committee of its terms of reference.

Statutory and Policy Implications

- 6. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the report be noted.

Mick Burrows
Chief Executive

For any enquiries about this report please contact: Keith Ford, Senior Democratic Services Officer, 0115 9772590

Constitutional Comments

7. As the report is for noting only, no constitutional comments are required.

Financial Comments (PS 2/5/12)

8. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- a) Report to County Council – 29 March 2012 (published).

Electoral Division(s) and Member(s) Affected

All

31 May 2012

Agenda Item: 6

REPORT OF GROUP MANAGER, PLANNING

THE RUSHCLIFFE DEVELOPMENT FRAMEWORK CORE STRATEGY PUBLICATION VERSION

Purpose of the Report

1. To seek Committee approval of comments, as set out below, to form the basis of a response on the Rushcliffe Development Framework Core Strategy Publication Version, by Nottinghamshire County Council (March 2012) to be sent to the Rushcliffe Borough Council (RBC).

Information and Advice

2. Rushcliffe BC published the Rushcliffe Publication Core Strategy Development Plan Document (CS) for a 6 week period ending on the 8th May 2012. The County Council have agreed with RBC, due to the dates of Committees that the County Council will have until the beginning of June 2012 to submit comments.
3. Representations submitted should relate to the requirements of legal compliance or the 'soundness' of the CS. The legal requirements seek to ensure that the Core Strategy is prepared in accordance with the RBC Local Development Scheme, is subject to a sustainability appraisal, and has regard to national policy and the community strategy. The tests of soundness include the plan being justified, effective, positively prepared and consistent with national policy. This national policy is now the National Planning Policy Framework (NPPF).
4. Any comments made by the County Council can only relate to the tests of soundness and therefore will need to address these issues and these alone. However, officer comments are being provided on minor issues on which Rushcliffe Borough Council may wish to make minor changes to the Core Strategy.
5. All valid representations received by Rushcliffe Borough Council will be submitted to a Planning Inspector who will then conduct a public examination of the Core Strategy. The Strategies can only be adopted if it is found to be 'sound' at examination.
6. Nottinghamshire County Council Officers have provided technical support and advice to Rushcliffe Borough Council utilising expertise from previous roles as the Structure Plan Authority and Section 44 Authority for the Regional Spatial Strategy.

Description of the Core Strategy

7. To produce the Core Strategy, Rushcliffe Borough Council has worked with other councils in the Nottingham Core Housing Market Area (the HMA) i.e. Broxtowe, Erewash, Gedling and Nottingham City, in preparing its Core Strategy and coordinating work, including evidence. The other authorities have aligned their plans but Rushcliffe BC is not doing so. However, in all respects other than housing, the policies are very similar to those in the proposed Aligned Core Strategies.
8. The level of housing provision set out below has been established locally, by RBC on the basis of what is considered to be deliverable on sustainable sites, which Rushcliffe Borough Council considers is in line with the principles of localism established by the Government. This approach has resulted in a reduction in provision against levels of housing previously proposed through the East Midlands Regional Plan 2009.
9. Nottingham City Council, Broxtowe Borough Council, Gedling Borough Council and Erewash Borough Council, have been with Rushcliffe Borough in a joint partnership leading up to the publication of their various Core Strategies, and the degree of alignment between them is testament to the effectiveness of working arrangements. It will be a significant element in demonstrating how the RBC and the other named Councils have discharged their Duty to Cooperate on plan making.
10. The Core Strategy sets out the vision and strategy for growth and development in Rushcliffe up to 2026.
11. The Core Strategy is the key spatial planning document. It performs the following functions:
 - Defines a spatial vision for Rushcliffe from 2009 to 2026;
 - Sets out a number of spatial objectives to achieve the vision;
 - Sets out a spatial development strategy to meet these objectives including strategic sites and
 - Sets out strategic policies to guide and control the overall scale, type and location of new development and infrastructure development.
12. The most significant aspects of the plan are the housing proposals, which are for a minimum of 9,900 dwellings, approximately 630 to be built per year, in the period between 2011 and 2026. The Core Strategy document also states that, in the case of the proposed Sustainable Urban Extension of around 2,500 dwellings to the south of Clifton, RBC would not look to find alternative land elsewhere in the Borough should it not be delivered as planned; this would reduce the provision to around 7,400 (minimum).
13. The main development proposals contained within the plan are that by 2026 there will be:

- 2,500 homes, employment (20 hectares) on land to the south of Clifton
- 1,200 homes, some employment on land off Melton Road, Edwalton
- 1,000 homes, employment (15.5 hectares) on land north of Bingham
- 550 homes, employment (6.5 hectares) at the former RAF Newton
- 470 homes, employment (4.5 hectares) at the former Cotgrave Colliery.

14. Also proposed is growth around the following villages at locations yet to be identified:

- East Leake – min 400 homes
- Keyworth – min 450 homes
- Radcliffe on Trent – min 400 homes
- Ruddington – min 250 homes.

15. Other policies include:

- Climate Change – which seeks to deliver high levels of sustainability in order to mitigate and adapt to climate change.
- The Green Belt – which seeks to retain the principle of the Nottingham/Derby Green Belt.
- Economic Development and Regeneration – aims to strengthen and diversify the economy across all employment sectors and meet restructuring, modernisation and inward investment needs.
- Town and Local Centres – aims to consolidate and strengthen the network and hierarchy of centres and not harm the viability and vitality of existing centres.
- Gypsies and Travellers – which seeks to accommodate and identify appropriate need.
- Design, Culture, Sport and Creation – which seeks to ensure new development aspires to high design standards in a sustainable way and provide culture and sport provision of an appropriate scale.
- The Historic Environment – which seeks to conserve and enhance the historic environment and heritage assets.
- Local Services – aims to provide new, extend or improve community facilities in order to meet needs.
- Transport – policies aim to reduce travel demand and identify transport infrastructure priorities in order to meet development requirements.
- Green Infrastructure, Landscape, Parks and Open Space – seeks an strategic approach to the delivery, protection and enhancement of Green Infrastructure.
- Biodiversity – the policy aims to increase biodiversity through protection, enhancement and restoration measures.
- Infrastructure, Developer Contributions – policies seek to require new infrastructure generated from new development and introduce a Community Infrastructure Levy (CIL).

Key Issues for Nottinghamshire

Overall housing provision

16. The National Planning Policy Framework (2012) (NPPF) states that a local plan should be ‘positively prepared’ and provide for the ‘objectively assessed needs’ of the housing market area, including the Government’s stated aim to boost housing delivery. On the other hand, the Localism Act and the NPPF emphasise the

primacy of the local authority in determining appropriate provision for its area. The NPPF, in referring to the housing market area, also requires local authorities to look outside their boundaries, and meet needs of the area. In this context, and from the County Council's viewpoint, this relates to the authorities in and around the Nottingham conurbation. This is a long-established planning area, previously identified in Structure Plans and the Regional Plan, known as the Nottingham Core Housing Market Area (HMA).

17. The level of housing proposed by Rushcliffe BC has been established locally on the basis of what is considered to be deliverable on sustainable sites, in line with the principles of localism established by the Government. This approach has resulted in a reduction in provision against levels of housing previously proposed and agreed with the adjoining HMA authorities through their Aligned Core Strategies 'Option for Consultation', which included RBC by approximately 4,000 homes. The Rushcliffe BC Core Strategy (CS) Publication Version does not include or make reference to any evidence to support its proposed housing provision and therefore has not been demonstrated as sound as it is not justified on the basis of available evidence.
18. Recent work, commissioned by Nottinghamshire County Council in the interests of wider planning considerations and Nottingham City Council, has produced preliminary forecasts based on planned housing levels with up-to-date local evidence for the five authorities (Gedling BC, Erewash BC, Broxtowe BC, Nottingham CC and Rushcliffe BC). This is being used by all the HMA authorities to prepare up to date evidence to justify planned levels of housing across the HMA. If this evidence concludes that the combined HMA housing provision of all the relevant Councils Core Strategies is appropriate to meet the needs of the area as a whole, it may be appropriate to withdraw or amend any representations made to an examination.
19. The CS as a whole needs to meet the tests of soundness (see paragraph 3) the housing provision also needs to meet the test of soundness required at this stage of plan preparation. This will ensure that development and infrastructure requirements are met, that housing provision is based upon the most appropriate strategy derived from a sound evidence base, that housing provision can be delivered and that overall such provision is sustainable and in accordance with national planning policy.
20. At present, and without further supporting evidence from Rushcliffe BC, there appears to be insufficient evidence to support the housing provision set in the CS. This is not to say that the CS would be found unsound once the evidence is considered, and also that consideration needs to be in the context of the HMA as a whole.

Transport

21. Transport modelling based upon the HMA authorities' decisions on housing numbers and preferred locations has not been completed. Although Rushcliffe BC is no longer 'aligned' to the other authorities, the transport modelling work is being carried out as a whole, the transport modelling will consider all 49,000 homes to be built in the Nottingham conurbation. The work will take approximately

3 months to complete and will be examined and presented to Joint Planning Advisory Board (JPAB). Only when this work is completed will it be possible for the four highway authorities (Nottinghamshire County Council, Nottingham City Council, Derby City Council, Derbyshire County Council) and the Highways Agency to come to a decision on a suitable package of transport measures to support all the development. Rushcliffe BC in the CS document refer to earlier transport modelling which was never concluded and for which no transport mitigation package was devised or agreed.

22. With regard to strategic locations the delivery of transport projects may not be sufficient in their own right to accommodate the additional transport requirements arising from the development proposals in Rushcliffe Borough and surrounding area and further additional transport upgrades (as yet undetermined) funded by development (through CIL) may well be required.
23. Objections to the Rushcliffe Borough Core Strategy Publication version are raised on highway grounds as it is considered that the transport evidence is unsound. This can of course be subsequently withdrawn if the transport modelling is completed prior to an Examination in Public (EiP).

Developer Contributions

24. The infrastructure need generated by a proposed development is a material consideration in the determination of a planning application. The capacity of existing infrastructure may be exceeded as a consequence of new development, generating a need for new infrastructure or facilities. The use of planning obligations may be appropriate to require developers to make contributions for the provision of infrastructure to support proposed development.
25. The County Council welcomes the fact that the Rushcliffe BC Core Strategy recognises that in certain circumstances, additional developer contributions may need to be sought through planning obligations following the introduction of the Community Infrastructure Levy (CIL). The County Council would seek to ensure that all the impact on its services and infrastructure of all future development in RBC, is met either through CIL or planning obligations. The County Council would welcome involvement in the development of the RBC CIL, in particular with the drawing up of the Section 123 list insofar as it relates to County Council services and infrastructure.

Minor matters

26. Other minor matters (not related to soundness) have been raised by County Council officers and will be submitted to the Rushcliffe BC at this time. These are set out in detail in a Background paper and will be sent to Rushcliffe BC (see Appendix 1).
27. These matters relate to issues such as avoiding the fragmentation of the Green Infrastructure network and include reference to the development of Live/Work units on Brownfield land.

Other Options Considered

28. As the consultation requires representations to be made on the soundness of the plan the only other option was not to make representations. This was considered and rejected, as the evidence behind the CS is currently inadequate and the County Council wishes to raise issues of soundness in relation to strategic planning and transport.

Reason/s for Recommendation/s

29. Having assessed the RBC CS Publication Version against the NPPF tests of soundness and as set out in paragraphs 7-27 above, it is considered that the document does not include or make reference to any evidence to support the stated housing or transport provision and therefore has not been demonstrated as sound as it is not justified on the basis of available evidence.

Statutory and Policy Implications

30. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

31. There are no direct financial implications.

Implications for Sustainability and the Environment

32. The failure to consider the representations of the County Council on strategic planning and transport matters could lead to unsustainable development taking place, possibly without the adequate context of an adopted Local Plan. The education and transport interests of the County Council as service provider could also be compromised by the lack of a suitable Local Plan.

RECOMMENDATION

1) That Committee approve the above comments which will form the basis of a response to the Rushcliffe Development Framework Core Strategy Publication Version, by Nottinghamshire County Council to be sent to Rushcliffe Borough Council.

Sally Gill
Planning Group Manager

For any enquiries about this report please contact: Nina Wilson, Planning Policy Team, ext 73793

Constitutional Comments (NAB 02.05.12)

33. The Environment and Sustainability Committee has authority to approve the recommendation set out in this report.

Financial Comments (MA 01/05/12)

34. As noted above, there are no direct financial implications arising from the contents of this report.

Background Papers

Alongside the Core Strategy and the Publication Proposals Map, the following supporting documents have also been published:

- Sustainability Appraisal
- Equalities Impact Assessment
- Habitats Regulation Assessment
- Statement of Consultation

All the documents are available on the Rushcliffe Borough Council Web site.

Electoral Division(s) and Member(s) Affected

Radcliffe-on-Trent - Councillor Mrs Kay Cutts
Bingham – Councillor Martin Suthers
Cotgrave – Councillor Richard Butler
Keyworth – Councillor John Cottee
Ruddington – Councillor Reg Adair
Soar Valley – Councillor Mrs Lynn Sykes
West Bridgford Central – Councillor Michael Cox
West Bridgford South – Councillor Barrie Cooper
West Bridgford West – Councillor Gordon Wheeler

Appendix 1 – Officer Comments

Landscape Officer Comments

From; Helen Jones, Landscape Architect, Landscape and Reclamation Team, Trent Bridge House

To: Nina Wilson, Principal Planning Officer, Strategic Planning Team

Date: 12th April 2012

Re: Rushcliffe Local Development Framework - Rushcliffe Core Strategy – Publication Version - March 2012

Thank you for asking the Landscape and Reclamation Team to comment on the above document, these comments represent those of the Landscape Team only and concern landscape and visual impact issues. Separate comments will follow from Derek Hair on reclamation and land contamination issues.

The Landscape Team have considered the following Local Development Framework documents:-

Rushcliffe Core Strategy – Publication document – March 2012

Rushcliffe Core Strategy – Publication Proposals Map – March 2012

Rushcliffe Core Strategy – Sustainability Appraisal of the Rushcliffe LDF – March 2012

Rushcliffe Core Strategy – Sustainability Appraisal of the Rushcliffe LDF – Appendices – March 2012

Rushcliffe BC Core Strategy – Sustainability Appraisal Scoping Report – June 2009

Please note that detailed comments concerning the proposed Sustainable Urban Extensions have not been provided, as detailed comments have been made during the planning application stage.

Rushcliffe Core Strategy – Publication document – March 2012

2.4 Spatial Objectives

P16 -2.4.1 -vi. The existing text reads ‘... and ensuring its landscape character is maintained and enhanced.’

We suggest that this is changed to read ‘...and ensuring its landscape character is conserved, and enhanced, or restored in areas where this is necessary.’

The reason for this amendment is that the actions tie in with the terms used in the Landscape Character Assessment 2009.

3.2.3 Policy 9 design and Enhancing Local Identity – p59

The existing text reads:-

'5. Outside of settlement, new development should protect, conserve or where appropriate, enhance landscape character. Proposals will be assessed with reference to the Landscape Character Assessment.'

We suggest the policy is amended to read:-

'5. Outside of settlement, new development should conserve or where appropriate, enhance and restore landscape character. Proposals will be assessed with reference to the landscape actions in the Landscape Character Assessment 2009.'

The reason for these amendments is as above that the actions tie in with the terms used in the GNLCA.

3.3.1 Policy 15: Green infrastructure, Landscape, Parks and Open Space – p78

The existing text reads:-

'The approach will require that:

e) Landscape Character is protected, conserved or enhanced where appropriate in line with the recommendations of the Landscape Character Assessment. Criteria for the assessment of proposals and any areas of locally values landscape requiring additional protection will be included in other Development Plan Documents.'

It is suggested that the text is amended to read:-

'The approach will require that:

e) Landscape Character is conserved or where appropriate enhanced and restored in line with the recommendations of the Landscape Character Assessment 2009. Criteria for the assessment of proposals and any areas of locally valued landscape requiring additional protection will be included in other Development Plan Documents.'

The reason for these amendments is as above that the actions tie in to the terms used in the GNLCA.

Policy 19: Strategic Allocation at Melton Road, Edwalton

Policy 20: Strategic Allocation at North of Bingham

Policy 21: Strategic Allocation at former RAF Newton

Policy 22: Strategic Allocation at former Cotgrave Colliery

None of the above policies refer specifically to the LCA, whereas Policy 23: (Strategic Allocation south of Clifton) does refer to the LCA; it would be better that these were consistent and contained a paragraph under 'other requirements' such as:-

'The creation and enhancement of open space and green infrastructure which links to the wider green infrastructure network, which has regard to the Landscape Character Assessment 2009, and provides for biodiversity enhancements.'

Appendix F List of Evidence

The LCA document should be referenced in this list as the 'Landscape Character Assessment (2009)' as it is elsewhere.

Rushcliffe Core Strategy – Publication Proposals Map – March 2012

No comments

Rushcliffe Core Strategy – Sustainability Appraisal of the Rushcliffe LDF – March 2012

Rushcliffe CS Objectives – iv. Protecting and enhancing Rushcliffe's individual and historic character and local distinctiveness - p24

If possible this objective, as previously, should be amended to read 'ensuring its landscape character is conserved and enhanced.' Rather than 'maintained and enhanced.'

Rushcliffe Core Strategy – Sustainability Appraisal of the Rushcliffe LDF – Appendices – March 2012 – No comments

Rushcliffe BC Core Strategy – Sustainability Appraisal Scoping Report – June 2009 – No comments

For more information please contact: Helen Jones

Transport Officer Comments

Policy 2 the Spatial Strategy.

The Nottingham Ring Road Improvement Scheme is wrongly listed in both paragraphs 5a)(iii) and 5b). The reference at 5 (a) should be deleted.

The A46 widening scheme is now substantially complete and could also be removed from the list.

Policy 13 Managing Travel Demand.

Whilst the policy itself is sound the supporting justification implies (in paragraphs 3.2.7.13 and 3.2.7.14) that all necessary supporting transport evidence and testing has been concluded using the Conurbation Transport Model, and from this the necessary supporting strategic transport infrastructure has been established. This is not the case as the transport modelling examining the growth agenda in Rushcliffe and indeed across the Nottingham Housing Market Area is still on-going.

Policy 17 Infrastructure.

This refers to the critical supporting infrastructure as listed in Appendix C and contained in the IDP. As identified above the transport studies required to establish the necessary supporting transport infrastructure are yet to be finalised and hence it is not possible to be confident that the list of transport requirements in policy 17 and Appendix C is complete and comprehensive.

Appendix C .

The list does not include the Nottingham Ring Road Improvement Scheme even though this is listed as essential infrastructure in policy 2?

The infrastructure list does not include the A46 (T) which listed in policy 2. It is assumed this is not identified as it is already substantially complete.

The list identifies the local transport infrastructure 'required' to support each of the SUEs however it does not identify any strategic infrastructure required to support the collective impacts of these SUEs and the remainder of the projected development in Rushcliffe nor does it identify the likely strategic transport infrastructure requirements arising from the combined development across the entire Nottingham HMA.

The list includes the A453, NET line 2 to Clifton and the Nottingham Hub. These transport projects are not seen by the local highway authority as essential strategic supporting transport infrastructure necessary to support the growth agenda in Rushcliffe. Rather they are viewed as already committed transport schemes which will happen in any event and merely enable further consideration to be given to the allocation of development in proximity to these projects. The delivery of these transport projects may not be sufficient in their own right to accommodate the additional transport requirements arising from the development proposals in Rushcliffe and surrounds and further additional transport upgrades (as yet undetermined) funded by development (through CIL) may well be required.

I trust that these observations will be useful. Nb if it is too late to incorporate these observations in your report to Members then please advise and I will consider how best to supply these views to RBC as part of the formal consultation.

kind regards

David Pick
Communities
Nottinghamshire County Council
0115 977 4273

Reclamation Officer Comments

PROPOSED DEVELOPMENT: Strategic Plan Publication Version Consultation

STRATEGIC PLAN: Rushcliffe Development Framework, Rushcliffe BC Core Strategy

DATE RECEIVED 27/3/12

DATA RECEIVED: Rushcliffe Core Strategy Publication Version dated March 2012

Thank you for requesting the input of Landscape and Reclamation Team to comments relating to the above referenced documents.

POLICY 4 EMPLOYMENT PROVISION AND ECONOMIC DEVELOPMENT

Policy 4 paragraph 3 states “maintain a supply of good quality land to provide for new, and relocating industrial and warehousing uses” In this instance this is an imprecise descriptor in that “brownfield land” could and should be considered for these particular uses but rarely gets described as “good quality”. The re-use of “brownfield land” should be encouraged wherever the opportunity presents.

Policy 4 paragraph 4 sub iv refers to the retention of Hangars, these by their very nature of use present the highest risks of ground contamination, and potentially hazardous building fabric. A full investigation of the buildings and ground conditions should be undertaken prior to any redevelopment. An energy assessment and subsequent renovation to maximise the energy efficiency of the Hangars will be required to enable continued use. The cost benefit assessment of such should be undertaken prior to any redevelopment.

There appears to be no mention of “Work/Live” premises, these would appear to have been overlooked and can be a most suitable redevelopment of “brownfield” land.

3.1.4.13 Would consider rephrasing this as one cannot create “new land”. Land is a finite resource it is just the use to which land is put which changes.

Policy 6 REGENERATION

3.1.6.1/2 The issues of ground and ground water contamination should be fully addressed in any development of these “brownfield sites”. The regeneration of both the Former RAF Newton and Former Cotgrave Colliery affords the opportunity of maximising the synergies inherent within the creation of Green Infrastructure, Sustainable Urban Drainage Systems, Walkable Neighbourhoods and Riverside Corridor through the remediation processes which are likely to be required for these sites.

On a general note the greater integration of the sustainability principles across the policies could be emphasised with regenerations offering opportunities to integrate environmental improvement/ habitat creation/ green infrastructure/ walkable neighbourhoods / healthy lifestyle.

Policy 15 GREEN INFRASTRUCTURE, LANDSCAPE, PARKS and OPEN SPACE

3.3.1.6. This paragraph indicates some loss of open space and redevelopment or partial redevelopment. It is important that the network of the Green Infrastructure is maintained, ideally it should be improved. The open spaces also provide potential and actual significant SuDS capacity. Changes in use should be carefully considered.

Policy 17 INFRASTRUCTURE

3.4.1 Paragraph 4 Whilst there is mention of Flood Risk and capacity constraints there is no reference to SuDs and the interactions possible with open space provision to alleviate or ease these constraints.

Policy 19 EDWALTON

3.4.3 Suggest there is a significant opportunity to integrate Green infrastructure / Open Space/ Community Park and SuDS items 12-14

Policy 20 NORTH OF BINGHAM

3.4.4 Suggest there is a significant opportunity to integrate Green infrastructure / Open Space/ Car Dyke flood alleviation/ SuDS in preparation for housing development.

3.4.5 Agree with Car Dyke implementation prior to development

Policy 21 FORMER RAF NEWTON

3.4.6 Suggest there is significant potential to maximise opportunities and gain synergies with the integration of Open Space / Ecological Management Plan /Green Infrastructure/ SuDs.

3.4.5.4 Assume that potential contamination issues associated with the site and previous site usage have been dealt with under planning conditions for phase 1 and that subsequent phases will be conditions on acceptable ground conditions assessment.

Policy 22 FORMER COTGRAVE COLLIERY

3.4.6 Suggest there is considerable scope to integrate the landscape buffer / SuDS/ Green Infrastructure to re-enforce the Grantham Canal Corridor. The SuDS may prove to be a useful / vital addition to the water supply for the Grantham canal.

If you require clarification on any of the above points, please do not hesitate to contact me.

Derek Hair
Principal Project Engineer
Landscape and Reclamation Team

Ecology Officer Comments

Section 1.4

It is noted that a Habitats Regulations Assessment of the Core Strategy has been undertaken. Given its statutory nature, Rushcliffe BC should have regard to comments from Natural England about this document.

Section 2.3 (Spatial Vision)

In section 2.3.7, reference to an increase in biodiversity is welcomed, although it is queried why this is made in the context of the East Midlands, rather than the borough of Rushcliffe.

Section 2 (Spatial Objectives)

Reference to ensuring an increase in biodiversity is welcomed in paragraph (xi).

Policy 15 – Green Infrastructure, Landscape, Parks & Open Space

In section 2 (d), reference to allowing the migration of species is welcomed.

In section 3 (3), reference to making provision for biodiversity opportunities is welcomed.

Policy 16 – Biodiversity

Overall, Policy 16 and its supporting text is welcomed and supported, but the following comments should be noted:

Section 1 (a)

In section 1 (a), it is suggested two minor amendments are made as follows:

“protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including ~~areas and~~ networks of habitats and species listed in the UK, and the Nottinghamshire and Local Biodiversity Action Plans, *to provide a net gain in biodiversity*”.

Alternatively, to bring the text more in line with the relevant text in the NPPF (paragraph 117), this section could be amended to read:

“protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including ecological networks and priority habitats and species listed in the UK and Local Biodiversity Action Plans, to provide a net gain in biodiversity”.

Section 1 (b)

In section 1 (b), it is unclear why this states “ensuring that fragmentation of the Green Infrastructure network is avoided wherever appropriate” – I would suggest that this

should be re-phrased to make it clear that fragmentation of the GI network is not normally appropriate.

Section 1 (e)

In section 1 (e), it is suggested that the mitigation hierarchy, as outlined in the NPPF (paragraph 118), should be clarified, as the text as currently drafted implies that mitigation and compensation are equivalent, whereas in reality compensation should only be used as a last resort. In addition, reference to 'minimising impacts on biodiversity' should be added.

Other matters

Currently, the requirement in the NPPF (paragraph 117) for planning policies to plan for biodiversity at a landscape-scale across local authority boundaries does not appear to have been addressed (but it is appreciated that the NPPF has only recently been published). It is suggested that an addition to section 1 might be required to deal with this.

Regarding section 2, it is assumed that a criteria-based policy will be used in the Development Management Policies document to provide further guidance on this matter.

Justification

It is suggested that paragraph 3.3.2.3 is amended slightly as follows:

"Proposed development should particularly seek to contribute towards delivery of the Local Biodiversity Action Plan ~~habitats and species~~. The Nottinghamshire Local Biodiversity Action Plan identifies priority wildlife ~~habitats and species that are a priority for protection~~, either because they are nationally or locally rare or in decline, or are characteristic of the area; and sets targets and action plans for their conservation in order to address their continued decline."

Also, the final sentence in this paragraph is a duplication of the first.

Implementation, delivery and monitoring

The proposed target relates to "no unmitigated loss of SINCs due to development". This suggests that the loss of SINCs is acceptable provided that new areas of SINC are designated through mitigation. However, due to the fact that SINCs are sites designated through the application of criteria, there is no guarantee that mitigation will result in the designation of new area of SINC to mitigate against losses. A preferable target would be "no loss of SINCs". The indicator itself is "net change in SINCs", but it should be clarified if this is net change in the area or the number of SINCs.

In addition, a further target/indicator is suggested, to link to LBAP habitats (e.g. a target of no loss of LBAP habitat, and an indicator of net change in area of LBAP habitat). It should be noted that Nottinghamshire Biodiversity Action Group and the

Nottinghamshire Biological and Geological Records Centre are very close to having mapped all LBAP habitats across the county, and this data will be available to local authorities for this very purpose.

Nick Crouch
Nature Conservation leader
Planning and Policy Group
13/04/2012

31 May 2012

Agenda Item: 7

REPORT OF GROUP MANAGER, PLANNING

STRATEGIC PLANNING OBSERVATIONS ON A PLANNING APPLICATION FOR A FOODSTORE, AT LAND NORTH OF WILFORD LANE, WEST BRIDGFORD.

Purpose of the Report

1. To seek Committee approval for comments set out in this report to be sent to Rushcliffe Borough Council (RBC) in response to the request for strategic planning observations on planning application for a foodstore at land north of Wilford Lane, West Bridgford.

Information and Advice

2. A planning application was submitted to Rushcliffe Borough Council on the 30th March 2012 for the construction of a foodstore with ancillary customer restaurant, concession units and associated infrastructure, on land to the north of Wilford Lane, West Bridgford. A site plan is provided at Appendix 1.
3. Nottinghamshire County Council (NCC) has been consulted for strategic planning observations on the application and this report compiles responses from Departments involved in providing comments and observations on such matters. On the basis of Committee's decision, comments will be sent to Rushcliffe Borough Council.
4. The planning application is accompanied by an Environmental Statement, Design and Access Statement and a range of other supporting documents. This report is based on the information submitted with the application in the context of national, regional and local policy.

Description of the Proposed Development

5. The proposed scheme comprises a Sainsbury's foodstore with a total gross external area of 9,700m² and a sales area of 4.646m². The store will be primarily for the sale of food, with convenience goods in total equating to 72% of the total sales area and 28% non-food ranges.
6. The proposed store will comprise a single trading floor at first floor level as it will be elevated on stilts.

7. A total of 613 car parking spaces, including 549 standard spaces, 33 disabled spaces and 31 parent and child spaces are proposed. All car-parking will be at ground level and the majority will be located beneath the store and associated services.
8. The service yard will be located to the rear (north) of the store, raised to store level and accessed via a dedicated service ramp.
9. The store will include a customer café, toilets, cash machines, ancillary concession (operator to be confirmed) and an Explore Learning Centre which provide an extra-curricular learning facility for 5-14 year olds.
10. New bus stops are proposed on Wilford Lane, immediately in front of the proposed store entrance on the eastbound carriageway and to the east of the junction with Compton Acres on the westbound carriageway. A number of other highway and transportation measures will also be incorporated into the overall proposal.

Planning Policy Context

National Planning Policy Framework

11. The National Planning Policy Framework (NPPF) (March 2012) sets out at paragraph 14 its presumption in favour of development that requires the planning system to be plan led, proactively driven and supportive of sustainable economic development. If development proposals are assessed as having significant adverse and demonstrable impacts then they should not be permitted.
12. Paragraphs 23-27 of the NPPF set out the Government's policy in relation to retailing. When assessing an application for retail a sequential approach should be adopted. This 'town centre first' approach requires development to be located firstly within town centres, then on the edge of existing town centres and finally in out of centre locations. Generally Government policy is permissive of town centre uses in out of centre locations where they satisfy the test of sequential preferability and the sites are capable of accommodating the proposal.
13. In terms of the potential impact such a development may have on its surroundings paragraph 26 of the NPPF requests that applicants assess the impact of the proposal on existing, committed and planned investment in a catchment of the area and that the assessment addresses the impact on the viability and vitality of the identified centre and the wider area.
14. The assessment focussed on the West Bridgford District Centre and concluded that the application would not result in any 'significant adverse impacts' when considered against the tests set out in the NPPF.
15. Detailed national planning policy context is set out in Appendix 2.

East Midlands Regional Plan (RSS)

16. On 6th July 2010 the revocation of Regional Strategies with immediate effect was announced by the Secretary of State for Communities and Local Government. However following a legal challenge Regional Strategies (RSs) have been reinstated and the RSS therefore remains part of the statutory development plan for the purposes of determining planning applications within the Rushcliffe Borough District. Nevertheless, the intention of the Government to abolish RSs, through the enactment of the Localism Bill, may be taken into account as a material consideration in the determination of planning applications.
17. The RS contains Policy 22 'Regional Priorities for Town Centres and Retail Development' which seeks to promote the vitality and viability of existing town centres, promote investment and develop and implement town centre strategies for under-performing areas.

Strategic Planning Issues

Retail

18. In terms of National Retail planning policy as set out in paragraphs 11-14 above, the County Council is satisfied that the applicants have adequately addressed the issue of the site being located out of centre and that there are no suitable, available or viable sites in an appropriate sequentially preferable location to accommodate the proposed development and is satisfied that the proposed development would not have an 'significant adverse impact' on the West Bridgford District Centre.

Transport

19. In accordance with the NPPF, there is a presumption in favour of sustainable development. All developments that generate significant amounts of movement are required to be supported by a Transport Statement or Transport Assessment and decisions should take account of whether opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It goes on to say that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
20. Once NET is in place the site will be well served by public transport and there are opportunities to further improve sustainable modes of travel to reduce the traffic impact of the development. Whilst there is always some risk of accidents when there are pedestrians and motorists, the Applicant is proposing improvements to Becket Way to keep the two apart. Given that the vast majority of trips associated with the store would already be on the highway network, the traffic impact is only likely to be noticeable very locally, particularly at the Becket Way/Wilford Lane/Compton Acres junction which will be improved. The residual cumulative impact of the Development is therefore unlikely to be so severe as to warrant a recommendation of refusal on highway grounds subject to appropriate planning conditions and S106 Agreement. However, further traffic modelling work at the

Wilford Lane/Compton/Becket Way junction is needed to prove the junction will operate satisfactorily particularly once the tram crossing is in place.

21. Detailed transport comments are set out in Appendix 3.

Rights of Way

22. There are a number of public footpaths in the area (See Appendix 4) most of these are also cycle paths managed by NCC Highways. It is likely that they will also be adopted, by NCC Highways, especially Footpath No. 24 which runs alongside the railway line and the NET as it is tarmaced and lit.

23. There are no adverse implications arising from this proposal on Rights of Way.

Ecology

24. Having examined the information submitted with the planning application in relation to ecology there are a number of issues of concern:

- There appears to be a net loss of species-rich neutral grassland, with inadequate mitigation/compensation measures;
- There is uncertainty relating to the likelihood of a receptor site for common lizard being found;
- There is a need for further surveys in relation to Bats; and
- There are issues relating to species of tree and shrub used in the landscaping scheme.

25. As such, until the above ecological concerns are addressed NCC does not support this application as it stands.

26. Full detailed ecology comments are contained at Appendix 5.

Landscape

27. It is considered that the balance between the presence of the store along Wilford Lane and retention of landscape character has not been achieved. Further planting should be employed to reinforce the treed character of the site in line with the recommended actions from the 2009 Landscape Character Assessment and to reduce the visual impact of the proposal. As such, until the issues outlined below are addressed NCC does not support this application as it stands. The additional mitigative works should address, but not necessarily be limited to, the following:

- Reducing views into the site from the south west corner across the meadow grassland area, to both the lower level infrastructure and the upper level of the building through the use of additional tree and shrub planting.

- Reducing the visual presence of the store along Wilford Lane by incorporating additional tree planting to the frontage area. In addition, further retention of existing roadside vegetation along the stretch of Wilford Lane facing the new building would be exceedingly valuable in mitigating the impact of the development in landscape and visual terms from the outset. Highway design and frontage layout must be revisited to make provision to retain the maximum amount of this frontage vegetation as possible.
- Providing a continuous strip of proposed planting along the section of site perimeter opposite the turning head at the end of Bede-Ling.
- Providing additional tree planting south west and west of properties on Bede-Ling to reduce visual impact.
- Providing planting to reduce the landscape and visual impact of the new pupil drop-off facility, particularly along the southern boundary.
- Reducing the impact on landscape character by employing additional tree planting in the north east corner of the site and enhancing the setting as viewed, medium distance, from the north east
- Reducing the impact on landscape character of works to The Beckett Way by re-evaluating the need for extending the pedestrian guard rail to the sides of the carriageway and providing hedgerow / other planting to the back of footway to reduce the impact of widening of footway and reduce the dominance of this section of highway in the local landscape.

28. Detailed landscape and visual comments are set out in Appendix 6.

Archaeology

29. From the evidence submitted with the planning application, it is recommended that the applicants be requested to supply additional information on the buried archaeological resource of the site, in accordance with the advice given in paragraph 128 of the NPPF. An archaeological field evaluation is necessary and this work should include an element of desktop assessment and a scheme of trial trenching.

30. Detailed archaeological comments are set out in Appendix 7.

Developer Contributions/Section 106

31. The site satisfies the minimum criteria in terms of the scale of development referred to in the Planning Contributions Strategy (January 2010). For transport contributions table 2 of the PCS provides a guidance figure of £64,000 per 1,000sq.m of food retail development in this location. The development is indicated as being 8,778sq.m and therefore a contribution of £561,792 would normally be appropriate.

32. The Application is supported by a Travel Plan. Once agreed it is recommended that this is appended to a Section 106 Agreement to ensure that it is appropriately administered and monitored. The Highway Authority will be seeking a contribution towards providing advice and monitoring of the travel plan to be secured within the S106 Agreement.

Conclusions

33. The overall National Planning Policy context in relation to retailing, as outlined above, is supportive of 'out of centre' development providing no other sequentially preferable sites are available or suitable and that sites are capable of accommodating such development.
34. Provided that the above transport comments are taken into account the County Council does not have any transport objections to make.
35. The County Council supports the proposed development in principle, however, concerns are raised over the potential impact of the proposal on the ecology, landscape and archaeology of the County. These concerns can not be addressed until significant further work has been undertaken satisfactorily and relevant information has been provided by the applicants.
36. Developer contributions should be sought from the developer as set out in paragraphs 31 and 32 above.

Other Options Considered

37. This report considers all of the relevant issues in relation to the above planning application which have led to the recommendations, as set out below. Alternative options considered could have been to express no or full support for the application.

Reason/s for Recommendation/s

38. It is recommended that the development is supported in principle as it is recognised that the site, although out of centre in retail planning terms, is sequentially preferable and is capable of accommodating the proposed Sainsbury's Supermarket.
39. The County Council has concerns over the potential impact of the proposal on the ecology, landscape and archaeology of the County. These concerns can not be addressed until significant further work has been undertaken satisfactorily and relevant information has been provided by the applicants.

Statutory and Policy Implications

40. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

1) That Rushcliffe Borough Council be advised that whilst the principle of such development in terms of strategic and National retailing policy is supported, Nottinghamshire County Council wishes to raise objections to the proposal owing to the concerns over its potential impact, as yet undetermined, on the ecology, archaeology and landscape of the County.

Sally Gill
Planning Group Manager

For any enquiries about this report please contact: Nina Wilson, Planning Policy Team, ext 73793

Constitutional Comments (MA 16.05.12)

41. The financial implications of the report are set out in paragraphs 31 and 32 above.

Financial Comments (16.05.12 SHB)

42. Committee have power to decide the Recommendation.

Background Papers

The following link provides access to all the relevant planning application documents used to inform the above report.

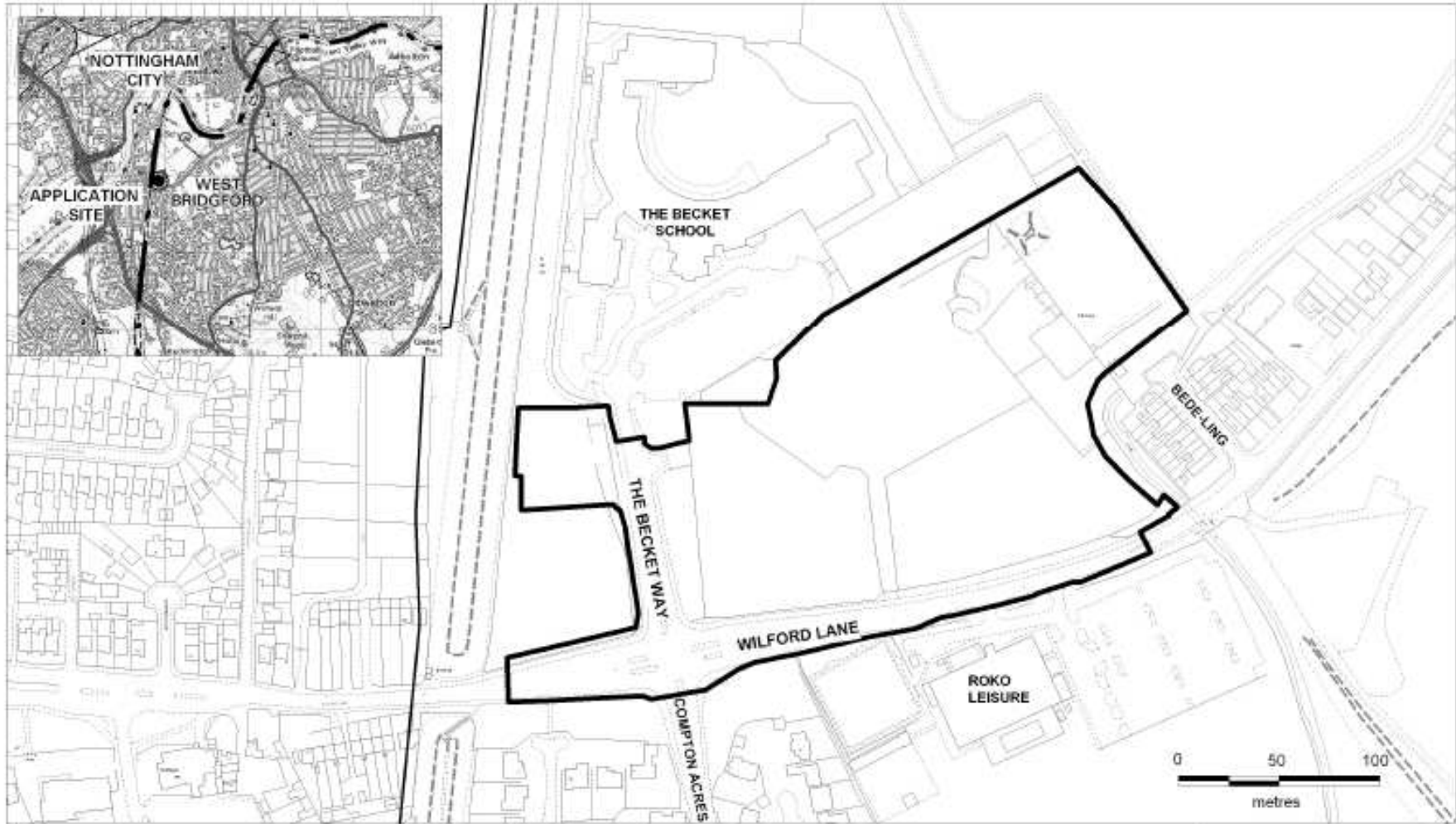
<http://www.document1.co.uk/blueprint/Results2.asp?Acpt=424539914&CaseNo=12/00564/FUL&Dept=DC>

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

Ruddington – Councillor Reg Adair
West Bridgford Central – Councillor Michael Cox
West Bridgford South – Councillor Barrie Cooper
West Bridgford West – Councillor Gordon Wheeler

Appendix 1 – Site Location Plan




 Trent Bridge House, Fox Road
 Nottinghamshire West Bridgford, Nottingham, NG2 8BJ
 County Council Tel: 0115 982 3823

Proposed Development by Sainsbury's Supermarkets Ltd
Land North of Wilford Lane, West Bridgford.
Planning Application No. 12/00564/FUL

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Scale: 1:2,500
 Produced by: JW
 Date: JUNE 2012

Appendix 2 – Detailed National Planning Policy

23. Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should:

- recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;
- define a network and hierarchy of centres that is resilient to anticipated future economic changes;
- define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations;
- promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;
- retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive;
- allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites;
- allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre;
- set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres;
- recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites; and
- where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity.

24. Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre

uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

25. This sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.

26. When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

27. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

Appendix 3 – Detailed Transport Comments

DISTRICT:	Rushcliffe	Date received	05/04/2012
OFFICER:	MATTHEW MARSHALL	by D.C.	10/04/2012
PROPOSAL:	CONSTRUCTION OF FOOD STORE (A1), CUSTOMER RESTAURANT, CONCESSION UNITS, SERVICING, CAR PARKING, PARENT DROP OFF	D.C. No.	12/00564/FUL
LOCATION:	WILFORD LANE, WEST BRIDGFORD, NOTTINGHAM		
APPLICANT:	SAINSBURY'S SUPERMARKETS LTD		

Traffic Impact

In order to inform the Transport Assessment, the Applicant has commissioned the Council's Greater Nottingham Transport Model. This has simulated the highway network conditions over the conurbation at the likely year of opening (2013) plus five years (2018) in accordance with DfT Transport Assessment Guidance. The model output includes predicted traffic growth, additional traffic due to other committed development proposals, and the affect of major transport infrastructure projects that will likely be delivered within that time period such as NET (lines 2 and 3). It then compares traffic conditions with, and without, development. A further sensitivity test has then been undertaken, with, and without, the proposed A453 widening due to the uncertainty of its delivery within the 5 year time period. There is very little difference in the traffic modelling outputs in the local area when comparing the two A453 scenarios.

To inform the model, a vehicle trip rate to and from the food store was agreed by comparing the level of traffic at a similar Sainsbury's store in Arnold which is comparable in terms of location and is one of the busiest stores within the TRICS database (a development traffic survey database). A retail impact assessment has then been undertaken in the area to establish the retail share of local outlets such as ASDA at West Bridgford (39%), Morrisons at Gamston (13%), and West Bridgford Town Centre (5%) based on the total retail draw of local food outlets (Transport Assessment, Appendix H, Table 3.3). The agreed total trip rate is then reassigned over the highway network from these locations to the site. Some of these trips will be pass-by trips i.e. already on Wilford Lane previously on their way to another retail outlet, others will be diverted trips onto Wilford Lane rather than continuing to their previous chosen outlet. The roads and junctions that would experience an increase in flow have then been identified as a result of a combination of development traffic and rerouted existing traffic. Rerouting of traffic occurs when congestion caused by development traffic leads to existing traffic moving to alternative routes. A noticeable increase in traffic is predicted in the evening peak at the junction of Becket Way/Wilford Lane/Compton Acres (>10%), Compton Acres/Rugby Road (>5%), and Compton Acres/Landmere Lane (>5%). However, both the Compton Acres, Rugby Road, and Landmere Lane junctions are expected to continue to operate within

capacity. These junctions have therefore not undergone further junction analysis in the Transport Assessment.

A more detailed analysis of the operation of the Becket Way/Wilford Lane/Compton Acres junction and its interaction of the nearby NET/ Wilford Lane level crossing has undergone further analysis in the Transport Assessment. This has yet to demonstrate that the junction will operate satisfactorily. Further information has therefore been sought.

At the request of the County Council, further modelling has also been supplied contained in an addendum to the Transport Assessment April 2012 for the junctions of the A60 Loughborough Road/Wilford Lane which has been demonstrated to operate over capacity without the development but would be no worse with development, the Clifton Lane/Ruddington Lane which is predicted to operate within capacity during all peak periods with the development in place, and A60 Loughborough Road/Rugby Road which has been shown to operate over capacity in the PM peak hour in 2018 without the development. However, whilst still operating over capacity with the development, there would be some improvement due to traffic diverting from the adjacent ASDA towards the new Sainsbury's.

Sustainable Transport

In accordance with the National Planning Policy Framework, March 2012 there is a presumption in favour of developments that give a choice to how people travel. This site is passed by 5 bus services resulting in up to 13 buses an hour with bus stops located immediately outside the site. There will also be a NET line 2 tram stop just to the west of the site scheduled to be in operation by 2014 that will provide up to 16 trams an hours.

This site is adjacent to a well connected cycle network. A shared foot/cycleway runs along the north side of Wilford Lane, directly past the site. At the junction of Wilford Lane, Compton Acres and Becket Way signalised Toucan crossing facilities are provided across all arms of the junctions. The signalised crossing facilities link to a further shared foot/cycle route which runs along the western side of Becket Way and continues north alongside the railway embankment. The route passes under the railway embankment at Coronation Avenue and then links to a foot/cycle bridge across the River Trent, providing a connection towards the City Centre. East of the site, the shared foot/cycleway running along Wilford Lane links to a signalised Toucan crossing over Wilford Lane. This provides access to a further shared foot/cycle route which continues south through the playing fields and connecting with the Leisure Centre and the residential areas to the south. To the east of the Toucan crossing there is a further foot/cycleway via Bede Ling providing access to Gresham Park, the Emmanuel School, and the Trent Embankment to the northeast.

Bede Ling is a narrow cul-de-sac and therefore offers a poor connection to the wider foot/cycleway facilities to the northeast. This could be vastly improved by diverting the route to the west of Bede Ling connecting with the Wilford Lane facility on the eastern side of the proposed store. This will also provide improved access to Gresham Park. The Highway Authority recommends that this facility is provided as part of the development.

Sustainable Transport and Section 106 requirements

The site satisfies the minimum criteria in terms of the scale of development referred to in the Planning Contributions Strategy (January 2010). For transport contributions table 2 of the PCS provides a guidance figure of £64,000 per 1,000sq.m of food retail development in this location. The development is indicated as being 8,778sq.m and therefore a contribution of £561,792 would normally be appropriate.

The contribution would help to provide integrated transport measures which will provide motorists with an alternative to the car and help achieve modal transfer targets as set out in the Local Transport Plan and Travel Plan. The Highway Authority has identified a number of measures to improve sustainable transport links to this development including the installation of bus shelters and associated real time bus time table information on the bus routes passing the site, 'Supa Shelters' outside the store, a Wilford Lane to Ruddington Lane/Wilford Road foot/cycleway, a public transport information kiosk in the vicinity of the store entrance/atrium, the extension of the Bede Ling foot/cycleway, enhanced evening and Sunday bus services, and schemes identified as being desirable through Travel Plan initiatives. These measures, where not secured by planning condition, will make up the list of schemes to be considered for funding through the contribution.

Travel Plan

The Application is supported by a Travel Plan. Once agreed it is recommended that this is appended to a Section 106 Agreement to ensure that it is appropriately administered and monitored. The Highway Authority will be seeking a contribution towards providing advice and monitoring of the travel plan to be secured within the S106 Agreement.

Access and Layout

It is proposed for the store to be accessed from Becket Way that currently only serves the Becket School. Consequently, the level of traffic on Becket Way would increase from around 266 two-way movements in the AM peak hour to around 804 or circa 202%. Consequently the risk of accidents could potentially increase. However, the volume of traffic is still much lower than the existing traffic flows at the Wilford Lane/Compton Acres/Becket Way junction that already carries around 2,444 vehicles during the same period and across which pedestrians, including pupils' at the school, already negotiate. The speed of traffic on Becket Way is also likely to be much lower than Wilford Lane. It would therefore be unreasonable to assume that the provision of a supermarket would be unsafe in principle adjacent a school on the grounds that there would be more traffic.

To mitigate against the potential for increased pedestrian conflict with vehicles due to the increased volume of traffic on Becket Way, the developer proposes to provide over-wide footway/cycleway, crossing facilities and pedestrian guard rail arrangements to ensure that pupils arriving and departing the school on mass are kept out of the carriageway as far as reasonably possible, and where they need to cross, formal crossing facilities are available.

Whilst I am aware that the School is likely to object to this proposal on grounds including highways, in the event that the Development is likely to receive planning

consent, I would recommend that they consider whether amendments to their access arrangements would assist living with their new neighbour.

The layout includes a small car park to allow parents to drop off and pick up on the western side of Becket Way. This facility is not supported by the Highway Authority as it encourages parents to drive their children to school against sustainable transport objectives and will also encourage cars into the vicinity of the school access unnecessarily. The Highway Authority therefore strongly recommends that this facility be removed. However, it is acknowledged that a formal objection may be difficult to sustain given that there would be a 600+ space car park on the eastern side of Becket Way to serve the store which could also be used by parents to drop off and pick up. If the developer is unwilling to remove the drop off point, the Highway Authority question who will be responsible to manage and maintain this facility?

Car parking has been provided in accordance with the County's standard. However, it is recommended that a number of spaces nearest the entrance are designated for the parking of taxis to reduce the potential of the proposed bus lay-by on Wilford Lane becoming a taxi rank. It is also recommend that the first aisle into the car park is closed at the end nearest the entrance to reduce the potential for vehicular conflict at this point.

Noise/Lighting/Emissions/Trees

The projected levels of lighting accord with the recommended figures given by the Institution of Lighting Professionals' Guidance Notes for the reduction of Obtrusive Light GN01:2011.

The Application is supported by an Air Quality Assessment Report. The Highway Authority is of the view that this is a matter for the Local Planning Authority to consider. However, the site is in a good location to benefit from sustainable modes of transport as encouraged by the National Planning Policy Framework.

The Arboricultural Report has been prepared in accordance with industry standards and specifications. There are no objections from a highway trees prospective.

The consultant has demonstrated that noise emissions from the store when operational will not give rise to adverse noise impacts on the highway.

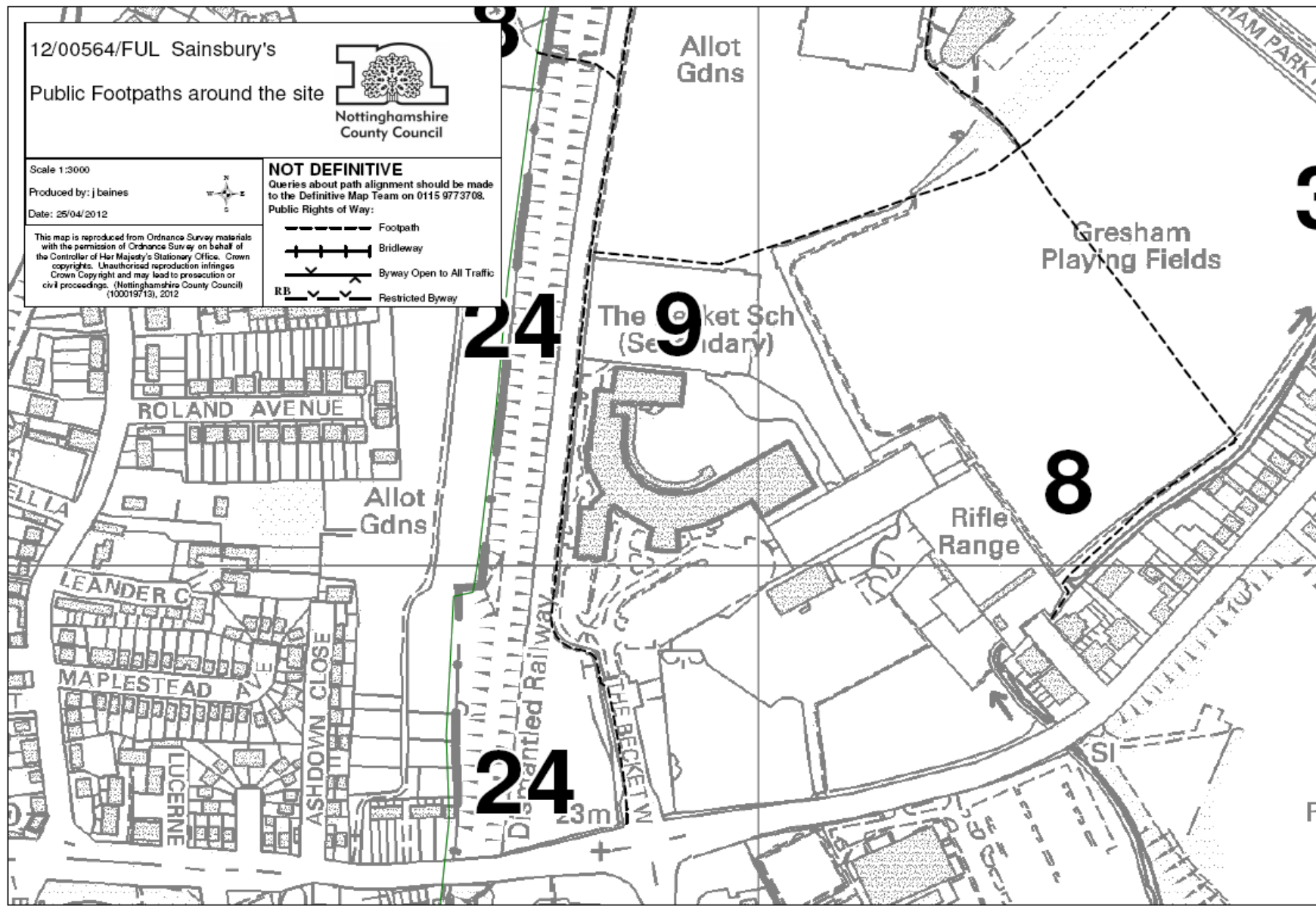
Summary

In accordance with the National Planning Policy Framework, there is a presumption in favour of sustainable development. All developments that generate significant amounts of movement are required to be supported by a Transport Statement or Transport Assessment and decisions should take account of whether opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It goes onto say that Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

It would be difficult to find a site better served by public transport once NET is in place and there are opportunities to further improve sustainable modes of travel to

reduce the traffic impact of the development. Whilst there is always some risk of accidents when there are pedestrians and motorists, the Applicant is proposing improvements to Becket Way to keep the two apart. And given that the vast majority of trips associated with the store would already be on the highway network, the traffic impact is only like to be noticeable very locally, particularly at the Becket Way/Wilford Lane/Compton Acres junction which will be improved. The residual cumulative impact of the Development is therefore unlikely to be so severe as to warrant a recommendation of refusal on highway grounds subject to appropriate planning conditions and S106 Agreement. However, further traffic modelling work at the Wilford Lane/Compton/Becket Way junction is needed to prove the junction will operate satisfactorily particularly once the tram crossing is in place.

Appendix 4 – Public Footpaths



Appendix 5 - Detailed Ecology Comments

Re: RBC planning application 12/00564/FUL – Sainsbury's foodstore on Wilford Lane, West Bridgford 12/00564/FUL

Thank you for consulting the Nature Conservation Unit of the Conservation Team on the above matter. We have the following comments regarding nature conservation issues:

A. Designated sites

The proposals do not affect any statutorily designated nature conservation sites; the nearest Site Special Scientific Importance (SSSI), Wilford Claypits, lies approximately 1.2km to the south. The proposals have the potential to affect one locally designated site, the Greythorne Dyke SINC 2/840, which runs up part of the eastern boundary of the site.

B. Specific issues

An ecological assessment of the site has been carried out (White Young Green (WYG) Environment, February 2012), providing details of an Extended Phase One Habitat Survey, and surveys for bats (roosts), badgers and reptiles. The main issues arising from these surveys/reports are as follows:

1. *Impact on semi-improved/herb-rich neutral grassland*

Surveys have identified the presence of extensive areas of semi-improved (also described by WYG as herb-rich) grassland covering a large proportion of the site. Although not of Site of Important Nature Conservation (SINC) quality, it is apparent that these grassland areas contain a number of notable species (e.g. pignut and great burnet), and that they may qualify as LBAP or UKBAP habitat.

The extent of the habitat has not been quantified, although it appears that it is in the order of some 2 hectares. The development will result in the almost total loss of this habitat, and no mitigation is proposed; an area of 'meadow grass' is shown on the landscaping plan for the site, but this appears to amount to less than a quarter of a hectare of habitat.

Herb-rich grassland is a habitat which is highly reduced in extent nationally and locally, and which is still being lost through development and neglect. It is therefore necessary to develop mitigation or compensation measures to make this scheme acceptable. Although Rushcliffe BC has chosen not to take part in the current Biodiversity Offsetting pilot being run by the county council, this would be a good opportunity to use this new approach for delivering essential compensation.

2. *Presence of reptiles*

Surveys have confirmed the presence of a small population of common lizards on the site - an extremely notable record; it appears that this is the most southerly

record for the county, and the only record from Greater Nottingham that is south of the River Trent.

It is proposed to translocate the lizard population to a nearby site, although the identity of such a site has not yet been confirmed. The nearby Wilford Disused Railway SINC is ruled out as a possible receptor site, due to its loss to facilitate the NET. However, it is understood that the northern part of the SINC is being retained, so this option should be re-examined.

Given that the translocation is essential, it is considered necessary to have firmed up the identity of the receptor site prior to planning permission being granted – for example, at least in-principle agreement for the owners/managers of potential receptor sites should be gained, as without this the translocation will not be able to go ahead.

In any event, should planning permission be granted, the following issues would need to be addressed:

- A detailed mitigation strategy covering trapping and translocation (as outlined in section 4.2 of Appendix G of the WYG report) would need to be produced before development commenced, secured through a planning condition
- A receptor site would need to be confirmed, and any necessary habitat enhancement works carried out following an agreed programme, prior to translocation occurring, secured through a planning condition
- Resources would need to be provided for the ongoing management of the receptor site in such a way that it supports lizards in perpetuity (or at least for the lifetime of the development), along with periodic monitoring, secured through a S106 agreement

3. The need for further surveys

The WYG report identifies the need for an emergence survey on the tree they identify as TN6, due to its high potential to support roosting bats, should its removal be required. It appears that this tree is to be retained and incorporated within the site landscaping, however I am concerned that it becomes very isolated and is not linked to any foraging areas via a suitable commuting route. As a result, a survey of the tree for its use by roosting bats should be undertaken to allow appropriate consideration to be given to this matter.

It is concerning that no bat activity survey has been carried out at the site, given that it supports areas of mature vegetation and a potential bat roost, is located in a suburban area which is likely to support bats, and has been identified as being of potential value to foraging bats in the WYG report. Given that the majority of this habitat is to be lost, a bat activity survey is considered necessary to allow a proper assessment of the potential impacts of this on bats.

4. Japanese knotweed

A stand of Japanese knotweed has been identified on the site. A planning condition should be used to ensure the production and implementation of an appropriate scheme of control/disposal.

5. *Potential impacts on the Greythorn Dyke SINC*

No consideration is given in the WYG report to potential impacts on the Greythorn Dyke SINC. Given the county-level importance of this site, it is essential that this matter is addressed. Whilst outside the red-line, there is the potential for impacts on the SINC occurring during construction works (e.g. pollution spills). Therefore, a method statement for working in proximity to this watercourse should be produced and adhered to through a planning condition.

C. General mitigation

More generally, the mitigation measures proposed in section 5 (ecological impacts and recommendations) of the WYG report should be secured via a planning condition. Specifically, this should cover:

- An update badger survey, prior to the commencement of development
- The dismantling of the roofs of the remaining buildings on site under the supervision of an ecologist
- The submission of measures to deal with potential impacts on bats arising from artificial lighting, informed by the results of the activity survey recommended above
- Vegetation clearance must not take place during the bird nesting season (which runs from March to August inclusive)
- The installation of bird and bat boxes around the site.

In addition, nesting features for Swifts, Starlings and House Sparrows should be incorporated into the building itself to deliver further enhancements at the site, with such details secured through a planning condition.

D. Landscaping

In order to provide mitigation for the loss of established trees, scrub and other habitat at the site, it is essential that the landscaping scheme is of high quality, using native species appropriate to the local area. Therefore, the following issues identified on the 'Detailed Planting Plan' need addressing:

- a) The following species should not be used they are non-native species:
 - *Berberis darwinii*
 - *Cornus alba*

- b) The following species should not be used as they are not native in Nottinghamshire or are appropriate in this locality:
 - *Carpinus betulus*
 - *Fagus sylvatica*
 - *Pinus sylvestris*
 - *Prunus padus*

- *Sorbus aria*
- c) The following species should not be used as they are rare species of historical significance or because there are issues sourcing stock of appropriate genetic origin:
- *Populus nigra* (unless of guaranteed native origin and ideally from local stock)
 - *Malus sylvestris* (unless of guaranteed native origin)
 - *Cornus sanguinea* (unless of guaranteed native origin)
 - *Tilia cordata*

This leaves at least 13 native species as listed. It is suggested that the submission of a revised Planting Plan is made a condition of any permission granted, but that the principle of making these changes is accepted prior to planning permission being granted.

All stock should be of certified native genetic origin, ideally from Seed Zone 402, and this should be made a condition of any permission granted

Finally, the use of Emorsgate seed mix EM1 is supported for the 'meadow grass' area. However, there are some other relatively large areas of grass which are presumably intended for amenity management which could also be sown with EM1, namely the mound in the south-east corner and area along the northern boundary of the site. This matter should be given further consideration.

Summary

A number of issues can be resolved through appropriate planning conditions. However, I am unable to support this application as it currently stands, for the following reasons:

1. a net loss of species-rich neutral grassland, with inadequate mitigation/compensation measures
2. uncertainly relating to the likelihood of a receptor site for common lizard being found
3. the need for further surveys in relation to bats
4. issues relating to species of tree and shrub used in the landscaping scheme

We trust you will find the above comments of use, but if you require any further information, please do not hesitate to contact us.

Nick Crouch
Nature Conservation Leader

Appendix 6 – Detailed Landscape and Reclamation Comments

RE: PLANNING APPLICATION FOR SAINSBURY'S FOODSTORE ON WILFORD LANE, WEST BRIDGFORD

INFORMATION RECEIVED:

Application and associated documents as available on Rushcliffe BC's website (application reference 12/00564/FUL) at 26 April 2012.

Thank you for asking the Landscape and Reclamation Team to comment on the above application.

Existing situation

The site lies to the north of Wilford Lane, West Bridgford and sits on land previously occupied by The Chateau public house (now demolished). The area is a mixture of grassland, scrub, and trees, several of which are fully mature, together with hardstanding associated with the former use. Existing outgrown hedgerows with timber post and rail fencing bound the site along Wilford Lane, giving way to an open fenced boundary towards and along The Becket Way. On the land immediately east of Becket Way are a number of individual immature trees which have been planted in association with the new road / school. To the north, stands the recently constructed Becket School, divided from the application site by weldmesh panel fencing. Beyond the site in the north east, are school playing fields with an outgrown hedge and treeline separating this and the proposed development. Residential properties on Bede-Ling abut the site to the east, with an existing mature hedge and trees marking the boundary.

Existing vegetation screens views into the proposed development site for users of Wilford Lane and the Roko health club opposite. Breaks in the hedgerow at former access points allow some views in. At the Wilford Lane / The Becket Way junction, the lack of boundary vegetation gives open views into the south west corner of the site which continue for users of The Becket Way. From The Becket School, views into the site are filtered by existing vegetation within the northern portion of the site, though some direct views remain. Views into the site from the Gresham School playing fields and the majority of houses on Bede-Ling are blocked by existing vegetation though filtered views would exist in winter and from upstairs windows.

Existing Landscape Character

A methodology for undertaking landscape character assessment was developed by Nottinghamshire County Council's Landscape and Reclamation Team, based upon Natural England's Landscape Character Guidance (2002). This methodology was produced to update the Nottinghamshire Landscape Guidelines 1998 and to respond to changes in Government legislation (PPS7) which required the greater emphasis on the use of landscape character assessments in informing policy within Local Development Frameworks (LDFs). The landscape character assessment fits national characterisations (as designated by Natural England's 'Character of England Landscape, Wildlife and Cultural Features Map' produced in 2005) and regional characterisations.

In the Greater Nottingham area, including Rushcliffe, the landscape character assessment has been executed by TEP Consultants in a slightly modified fashion to produce similar results. The process allows the landscape to be divided into Regional Character Areas, which are then subdivided into Landscape Description Units (LDU). Each Policy Zone (DPZ) is subsequently allocated a Conservation and Enhancement policy which defines the required approach to future development.

The land proposed for the new Sainsbury's development off Wilford Lane falls within the Trent Washlands Regional Character Area and the Landscape Description Unit 399. LDU399 has been allocated a Policy Zone reference TW055 – West Bridgford Regional Fringe. Characteristic features of this DPZ which relate directly to the land off Wilford Lane, as taken from the Landscape Character Assessment, include

- *...an urban green space character, with recreation, scrub and underused land enclosed by surrounding urban development to the north and the south.*
- *Playing fields to the south have wooded boundaries surrounding large grass fields.*
- *Scrub vegetation is beginning to establish along the river bank and in areas of land surrounding The Becket and Nottingham Emmanuel schools, which also contribute to a wooded character.*
- *Commercial buildings and a newly constructed modern secondary school are present on the south of the river banks with two distinctive seven storey, high density, residential buildings which are prominent on the skyline.*

The landscape condition is judged as Moderate. The landscape strength is also classified as Moderate:

“The features, although, regularly distributed, are not strong enough to be distinctive or to give a highly unique sense of place except close to the river where the war memorial and river are distinctive features. The land use varies from amenity built development and rough scrub typical of an area of green space within an urban location”.

The overall landscape strategy is Enhance, with landscape actions including

- *Enhance the fringes of the open spaces through additional woodland.*
- *Enhance fringes of the river through localised tree planting / natural regeneration to soften built form bordering the area*
- *Enhance the school grounds through planting along the boundaries to help soften them and reduce its prominence in views to the north of the river.*

The proposed development should adhere to the landscape strategy for the DPZ and follow the recommended actions as given.

Tree / Hedgerow Loss

The Design and Access statement indicates (section 3.6) that the scheme will adopt the environmental initiative to “Preserve trees and enhance biodiversity”. The reality is that the scheme leads to the direct loss of 45 trees and 12 tree groups and will have an indirect impact on 5 trees and 4 tree groups on the site. Only 15 of the 72 trees and none of the tree groups surveyed will be unaffected by the proposals. This

loss of trees will have a direct and significant impact on the landscape character of the site.

Section 3.9 states that “To the south west of the site, most of the existing landscape and trees have been retained / enhanced to keep the existing character of the site and provide screening.” This is misleading as there are only two trees in this area which are retained (T26 and T25), whilst a number of trees and tree groups are to be removed (T21, T22, T23, T24, T27, T28 & G1). Screening from retained vegetation in this corner will be minor. No mention appears to be given regarding the treatment of the recent tree planting in this space.

Loss of a substantial amount of existing trees and hedgerow vegetation along the Wilford Lane frontage will have significant visual impact.

Planting Proposals

All planting across the site is proposed as native species, with the exception of some *Berberis darwinii* and ornamental variety of dogwood (*Cornus alba 'Sibirica'*). This choice of species will assist in the assimilation of the development into the wider landscape, though *Tilia cordata* (lime) and *Carpinus betula* (hornbeam) are perhaps less representative of the Trent Washlands area. Typical species lists for this environment are given in the Nottinghamshire County Council Landscape Guidelines (1998) which, though recently superseded, still contains relevant information. There is also a notable ecological, and often financial, benefit in the choice of native species.

All tree species proposed are deciduous (holly (*Ilex aquifolium*) is evergreen but is included only as part of the general shrub mix). This must be borne in mind when considering their contribution to screening the site, which will be reduced during the winter when the trees are not in leaf.

The plans include for a number of blocks of shrub planting to the perimeter of the site, some incorporating planting of individual trees. These are designed to separate and screen the site from its neighbours. However, some of these bands are very narrow (approx 2m) and are a single tree wide, limiting their screening potential.

Visual Impact

The new development will have a significant visual impact on short and medium distance views. The Design and Access statement gives one of the development's design principles as “to give the store enough presence on Wilford Lane yet keeping the existing character of the street”. It is implicit in this that the development will have a significant visual impact along Wilford Lane. Proposed planting will offer some screening, particularly of the ground level infrastructure but, for a large proportion of the frontage, the upper level of the development will be visually prominent.

There will be significant impact on views for users of Wilford Lane / Compton Acres as they approach the junction of these two roads and for users of The Becket Way towards the south west of the site. Lack of proposed tree planting is compounded by the loss of existing mature trees in this corner of the site. This negative impact will

include views into the proposed store car park and of the service yard access ramp and of the proposed pupil drop off facility west of The Becket Way. In addition, the extension of pedestrian barrier railings and widening of the footway along The Becket Way will increase the urban feel of the area and have a negative impact on landscape character.

For users of the Becket school the new development will be visually significant though proposed boundary planting will mitigate this to some degree, serving to block localised views of the ground level of the development. Tree planting northern edge of the site will filter views of the bulk of the store and service yard.

Retained tree group number 4 will provide some screening of the development from the outset. However, this will still permit some views of the building from the north east, from the adjacent Gresham playing fields and longer distance views from the public routes beside the River Trent.

The majority of existing trees and tree groups at the eastern end of the site have been retained and this will be of substantial benefit in reducing the visual impact for residents along Bede-Ling. However, views will still be afforded of the new building, particularly from upstairs windows, and of the car park from the turning head at the end of Bede-Ling. The visual impact here is judged as moderate and negative.

Further comments and Recommendations.

It is considered that the balance between presence of the store along Wilford Lane and retention of landscape character has not been achieved. Further planting should be employed to reinforce the treed character of the site in line with the recommended landscape actions from the conurbation Landscape Character Assessment and to reduce the visual impact of the proposals.

The additional mitigative works should address, but not necessarily be limited to, the following:

- Reducing views into the site from the south west corner across the meadow grassland area, to both the lower level infrastructure and the upper level of the building through the use of additional tree and shrub planting.
- Reducing the visual presence of the store along Wilford Lane by incorporating additional tree planting to the frontage area. In addition, further retention of existing roadside vegetation along the stretch of Wilford Lane facing the new building would be exceedingly valuable in mitigating the impact of the development in landscape and visual terms from the outset. Highway design and frontage layout must be revisited to make provision to retain the maximum amount of this frontage vegetation as possible.
- Providing a continuous strip of proposed planting along the section of site perimeter opposite the turning head at the end of Bede-Ling.
- Providing additional tree planting south west and west of properties on Bede-Ling to reduce visual impact.

- Providing planting to reduce the landscape and visual impact of the new pupil drop-off facility, particularly along the southern boundary.
- Reducing the impact on landscape character by employing additional tree planting in the north east corner of the site and enhancing the setting as viewed, medium distance, from the north east
- Reducing the impact on landscape character of works to The Beckett Way by re-evaluating the need for extending the pedestrian guard rail to the sides of the carriageway and providing hedgerow / other planting to the back of footway to reduce the impact of widening of footway and reduce the dominance of this section of highway in the local landscape.

Several earth mounds are shown on the proposals plans but no heights are given. The applicant should confirm the maximum height of these mounds in the interests of avoidance of doubt.

Drawing GC.48972.005 Rev D appears to indicate cycle parking to the east of the main entrance whilst in the design and access statement section 4.4 they are shown to the west. This should be clarified.

Please contact me should you have any queries or require any further input concerning this development.

Ann Leigh-Browne
Landscape Architect
Landscape and Reclamation Team

Appendix 7 – Detailed Archaeology Comments

Thank you for your request for comments on the archaeological implications of this proposal. I have checked the application site against the County Historic Environment Record and have the following comments to make.

The proposed development site is located east of the historic village of Wilford on the flood plain of the River Trent. This village is listed as 'Wilesforde' in the Domesday Survey of 1086, which also notes that the settlement contained a fishery and a priest at that time. It is possible that the origins of this village date to the Anglo-Saxon period, as it appears to be relatively well established just twenty years after the Norman Conquest. The name Wilford is thought to derive from the parish church of St. Wilfrids and an ancient ford which crossed the River Trent just north of the village. It is likely that the ford dates to the prehistoric period as a Bronze Age spearhead was found close to the ford site.

Also, from the available evidence it is possible that the proposed development will disturb palaeochannels or other forms of organic deposits associated with the River Trent. Palaeochannels are relict river channels. They are important to archaeology because they frequently contain valuable environmental evidence that can shed light on past climatic and environmental conditions. This type of evidence is usually organic and survives as waterlogged deposits. Unfortunately, by their very nature, palaeochannels and other organic deposits are non permanent and highly fragile.

Recent research has shown that current climate change is having a serious detrimental effect on buried archaeological sites. This is especially true for palaeo-environment deposits. By current estimates, it is highly likely that the majority of such deposits will be destroyed or severely damaged within the next decade. Therefore, due to the serious nature of this threat, the study and sampling of such organic deposits has become one of the county's foremost archaeological research priorities.

It is likely that the application site contains important archaeological remains. If so, it is likely that any surviving archaeological deposits will be able to provide us with very valuable information. However, the proposed development is likely to damage or destroy some of these deposits. Unfortunately, we do not have enough information about the buried archaeological resource to indicate its importance and level of survival and, therefore, the weight that should be attached to its preservation in situ. Archaeology is a material consideration here, and we need to be certain that we have sufficient information for a fully informed decision to be made.

Accordingly, I recommend that the applicants be requested to supply additional information on the buried archaeological resource, in accordance with the advice given in the *National Planning Policy Framework 2012* (paragraph 128). An **archaeological field evaluation** is necessary here, and this work should include an element of desktop assessment, possibly with a scheme of trial trenching.

A professional archaeologist or archaeological organisation should carry out this work, and the results of the evaluation should be available before the planning application is determined. I will be happy to provide further advice or comment as

required. I also would be grateful if I could be notified as to any further progress regarding this application. Please do not hesitate to contact me for further advice.

Yours faithfully,

Dr Chris Robinson
Archaeological Officer

31 May 2012

Agenda Item: 8

REPORT OF GROUP MANAGER, PLANNING

STRATEGIC PLANNING OBSERVATIONS

Purpose of the Report

1. To provide a summary of the current status of planning consultations received, and being dealt with, by the County Council from Nottinghamshire District and Borough Councils and central government.

Information and Advice

2. Planning Policy and Corporate Services has received 17 planning consultations during the period 2nd April 2012 – 30th April 2012.
3. Appendix A contains a list of all the planning consultations received during the above period.

Statutory and Policy Implications

4. There are no statutory implications associated with this report as it is for information only.

RECOMMENDATION

- 1) That the report be noted.

**Sally Gill
Planning Group Manager**

**For any enquiries about this report please contact: Nina Wilson, Planning
Policy Team, ext 73793**

Background Papers

Individual Consultations and their responses.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Constitutional Comments (NAB 11.05.12)

5. The report is for information only to the Environment and Sustainability Committee. There are no legal implications arising.

Financial Comments (MA 09/05/12)

6. There are no financial implications arising as a result of this report

Electoral Division(s) and Member(s) Affected

All

Appendix A – List of Planning Applications Received

Nottinghamshire County Council: Planning Consultations Received – April 2012

Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
02.04.12	Gedling Borough Council 2012/0238	250 Main Road, Ravenshead	Proposed residential development	KH	O	Letter sent 18 April
04.04.12	Gedling Borough Council 2012/0411	155 Main Road, Ravenshead	Replacement barn	EMc	O	Letter sent 19 April
04.04.12	Gedling Borough Council 2012/0318	Glebe Farm, 71 Lambley Lane, Gedling	Demolish existing house and rebuild along with already approved extensions	EMc	O	Letter sent 19 April
05.04.12	Rushcliffe Borough Council 12/00564/FUL	Land on Wilford Lane, West Bridgford,	Construction of a foodstore (Use Class A1)	NW	O	On going
10.04.12	Ashfield District Council	Land South of Forest Road, Annesley Woodhouse	Construction of a Foul and Service Water Drainage system; (To Serve Proposed Residential Development South of Forest Road)	RC	O	Referred on to N. Crouch in Conservation. No further comments by PP Team
17.04.12	Gedling Borough Council 2011/1328	Poets Corner, Newstead Abbey Park	Erection of domestic wind turbine (Evoco 10) on 15 metre high mast with 9.7 metre diameter rotor blade	KH	O	Letter sent 17 April
18.04.12	Gedling Borough Council 2012/0214	Lawsons Croft, 600 Mapperley Plains	Proposed replacement dwelling	RC	O	Commented verbally 18.04.12
24.04.12	Newark & Sherwood District Council 12/00561/FULM	Flowserve Pump Division, Hawton Lane, Balderton, Newark on Trent	Application for a new planning permission to replace an extant planning permission, 07/01840/OUTM	NW	O	On going
25.04.12	Rushcliffe Borough	51-53 Musters Road,	Alterations to existing building,	KH	O	On going

	Council 12/00545/FUL	West Bridgford	including second floor extension to form two additional flats (13 in total)			
Date Received	ID	Address	Details	Officer Dealing	Response Type	Notes
30.04.12	Gedling Borough Council 2012/0507	54 Nottingham Road, Ravenshead	Alterations and extensions to house	NW	O	On going
30.04.12	Gedling Borough Council 2012/0481	128 Nottingham Road, Ravenshead	Erection of tree house	NW	O	On going

Councillor Richard Butler

Chair Environment and Sustainability

For further information please contact either:

Richard Cooper, Richard.cooper@nottsc.gov.uk ext 74978

Tracy Barnes, tracy.barnes@nottsc.gov.uk ext 74545

O. Response Type
Delegated to Officer

31st May 2012

Agenda Item: 9

**REPORT OF GROUP MANAGER WASTE AND ENERGY MANAGEMENT
DISSOLUTION OF NEWARK AND SHERWOOD ENERGY AGENCY****Purpose of the Report**

1. To agree to the dissolution of the Newark and Sherwood Energy Agency

Information and Advice

2. The Newark and Sherwood Energy Agency was established in 1997 as a partnership between the County Council and Newark and Sherwood District Council to provide energy advice to its constituent authorities and the communities that they serve. In July 2003 the County Council's Cabinet approved the establishment of an autonomous management board for the Energy Agency, with 3 elected Member representatives from each of the two local authorities; financial management and secretariat being provided by the district council. This arrangement was required to secure EU funding available at the time and coincided with the adoption of a revised constitution and terms of reference for the Agency.
3. Following a recent review of the Agency and consultation with the Board, it was agreed that the current arrangements were no longer fit for purpose and hence formal approval is now sought to terminate the Agency, leading to savings in officer and Member time, and from removing the requirement for payment for an external audit. It is noted that Newark and Sherwood District Council obtained Cabinet approval on 1 March 2012, which agreed that:
 - approval be granted for the Energy Agency Board to remain in being from 1st April 2012 purely to complete the accounts for 2011/12 and for the Energy Agency Board to be formally dissolved with effect from 30 September 2012 and
 - approval be granted for the Energy Agency budget to be incorporated into the Council's Energy Services budget with effect from 1st April 2012 and for the replacement reporting structure to be to the Director, Customers and liaison with the Portfolio Holder for Sustainable Development and Regeneration.

Other Options Considered

4. The option to continue as 'business as usual' was considered, but rejected as the resources required to maintain the Agency were considered no longer justifiable given its role had evolved into what was in effect a forum for sharing and developing practice around sustainable energy.

Statutory and Policy Implications

5. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

That approval be granted for the Energy Agency Board to remain in being from 1st April 2012 purely to complete the accounts for 2011/12 and for the Energy Agency Board to be formally dissolved with effect from 30 September 2012.

Mick Allen
Group manager, waste and energy management

For any enquiries about this report please contact:

Phil Keynes, team manager, energy and carbon management 0115 9774623

Constitutional Comments [CEH 16/05/12]

The recommendation falls within the remit of the Environment and Sustainability Committee.

Financial Comments [MA 18/04/12]

The accountable body for the Board was Newark & Sherwood District Council and there are no financial implications for NCC, apart from savings in Member and Officer time.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

31 May 2012

Agenda Item: 10

**REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES**

WORK PROGRAMME

Purpose of the Report

1. To consider the Committee's work programme for 2012/13.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant. Any potential areas of focus in this respect will be highlighted during the planned presentation to Committee on the overview of relevant service areas.
5. A further element of transparency is reports from officers on the activity of working groups which relate to this committee's terms of reference. The committee is requested to consider whether it wishes to receive reports on the following groups on which officers are represented:

Name of Group	Background
Joint Waste Management Committee	Strategic overview of waste management across Notts. and overview of the County Council's £850m Waste PFI Contract. The Board does not possess delegated executive powers or duties – any formal decisions required are recommended to each Council as appropriate under Constitutions.

Name of Group	Background
Joint (Waste Management) Officer Board	Ensures effective and efficient waste management services across Notts. And informs/ reacts to Joint Waste Management Committee as appropriate.
Carbon Reduction Commitment Energy Efficiency Scheme (CRCEES) Officer Working Group	Cross-authority group formed in June 2010 in response to the Government's CRCEES scheme, which is a mandatory emissions trading scheme. It is an officer working group, as required by the scheme, and is chaired by the Waste and Energy Group Manager.
Joint Planning Advisory Board	The Joint Planning Advisory Board, chaired by Broxtowe Borough Council, was established in 2007 to steer the development and alignment of Core Strategies (Local Plans) across Greater Nottingham. The Board meets quarterly, with membership comprised of councillors representing Ashfield, Broxtowe, Derbyshire, Erewash, Gedling, Nottingham, Nottinghamshire and Rushcliffe councils.

6. It is also expected that the committee will wish to receive regular reports on outside bodies. Administration Committee, which has overall responsibility for outside bodies, will decide which outside bodies should report to which committees. There will be a report to a future meeting about this.
7. There are a number of scrutiny reviews which have recently been completed and a response from the relevant Cabinet Member is needed. For Environment and Sustainability Committee, there is only one relevant review (Water and Gas Emissions from Mines). Due to its very recent completion date in relation to the introduction of the new committee system, this report was not submitted to the Cabinet Member. The review report is currently being finalised and will be brought to a future meeting of this Committee for consideration.
8. The preparation of the Minerals Local Plan and the Waste Core Strategy lies within the remit of this Committee. The preparation of these planning policy documents has previously been steered by members working groups. Whilst the work of the Members Working Group for the Minerals Local Plan lies within the work of this Committee so that the Group will no longer be required, a Members Working Group will still be required for the Waste Core Strategy. The Waste Core Strategy is a joint document between Nottinghamshire County Council and Nottingham City Council and its preparation is overseen by Members of both Authorities via the Members Group. The work of the group is then reported both to the County Council's Committees and to the City Council's democratic structures.

Other Options Considered

9. None.

Reason/s for Recommendation/s

10. To assist the committee in preparing its work programme.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.
- 2) That the Committee indicate any operational activities it wishes to receive regular reports on.
- 3) That the Committee determine which officer working groups it wishes to receive reports on.
- 4) That it be noted that the Water and Gas Emissions from Mines scrutiny review report will be included in the work programme.

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Keith Ford, Senior Democratic Services Officer on 0115 9772590

Constitutional Comments (SLB 30/04/2012)

12. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS 2/5/12)

13. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- a) Report to County Council – 29 March 2012 (published).

Electoral Division(s) and Member(s) Affected

All

ENVIRONMENT & SUSTAINABILITY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
31st May 2012 (Pre Agenda 10th May)				
Rushcliffe Development Framework Core Strategy Publication Version		Decision	Sally Gill	Nina Wilson
Strategic Planning Observations – proposed Sainsbury’s Supermarket on land North of Wilford Lane, West Bridgford		Decisions	Sally Gill	Nina Wilson
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
28th June 2012 (Pre Agenda 14th June – 2pm TBC)				
Statement of Community Involvement	Update terminology.	Decision.	Sally Gill	
Overview of relevant Service Areas	Presentation by relevant officers on the various service areas which fall within the Committee’s remit.		Jas Hundal / Sally Gill	
LIS Outturn 2011/12	Summary of last year’s projects.	Info.	Sue Jaques	
Minerals Local Plan	Consultation responses / next steps	Decision.	Sally Gill	
Waste Core Strategy	Consultation responses / next steps	Decision.	Sally Gill	
LIS Programme 2012/13	Details of Projects Selected	Info.	Sue Jaques	
Final Accounts		Info.	Mike Atkinson	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
18th July 2012 (Pre Agenda 3rd July – 2pm TBC)				
27th September 2012 (Pre Agenda 13th Sept – 2pm TBC)				

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
LIS Programme Process	Determine process for future project selection	Decision	Sue Jaques	
Quarterly Progress Report	Review of performance (Apr – Jun).	Info.	Various	
Waste Management	Review of day to day decisions / key issues	Info.	Mick Allen	
Waste – Revised Project Plan	If agreed at Full Council on 5 th July	Info.	Mick Allen	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
30th October 2012 (Pre Agenda – 15th October – 2pm TBC)				
29th November 2012 (Pre Agenda 13th Nov – 2pm TBC)				
Energy & Carbon Management	Review of day to day decisions / key issues	Info.	Mick Allen	
Quarterly Progress Report	Review of performance (Jul – Sep).	Info.	Various	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
17th January 2013 (Pre Agenda 7th Jan – 2pm TBC)				
Quarterly Progress Report	Review of performance (Oct - Dec).	Info.	Various	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
14th February 2013 (Pre Agenda 31st Jan 2pm TBC)				
Minerals & Waste Planning	Review of day to day decisions.	Info.	Sally Gill	

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information ?</u>	<u>Lead Officer</u>	<u>Report Author</u>
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
14th March 2013 (Pre Agenda 25th Feb 2pm TBC)				
LIS	Review of day to day decisions / key decisions	Info.	Sue Jaques	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	
18th April 2013 (Pre Agenda 28th March TBC)				
Quarterly Progress Report	Review of performance (Jan - Mar.)	Info.	Various	
Strategic Planning Observations	Summary of applications received.	Decision.	Sally Gill	

Dates and Deadlines for Environment & Sustainability Committee

<u>Report deadline</u>	<u>Date of pre-agenda</u>	<u>Agenda publication</u>	<u>Date of Committee</u>
11 June – 10am	14 June 2012 – 2pm	20 June 2012	28 June 2012
28 June – 10am	3 July 2012 – 2pm	10 July 2012	18 July 2012
10 September 2012 – 10am	13 September 2012 – 2pm	19 September 2012	27 September 2012
10 October – 10am	15 October 2012 – 2pm	22 October 2012	30 October 2012
8 November – 10am	13 November 2012 – 2pm	21 November 2012	29 November 2012
20 December – 10am	7 January 2013 – 2pm	9 January 2012	17 January 2013
28 January - 10am	31 January 2013 – 2pm	6 February 2013	14 February 2013
20 February 2013 – 10am	25 February 2013 – 2pm	6 March 2013	14 March 2013
25 March 2013 – 10am	28 March 2013 – 2pm	10 April 2013	18 April 2013

*Early due to Bank Holidays